

Appl. No. 10/735,693
Response dated: August 30, 2005
Reply to OA of: May 31, 2005

submitted in an Information Disclosure Statement filed on July 20, 2004. Additionally, Applicants submitted a signed Declaration filed under 37 C.F.R. 1.132 for the purpose of clarifying the inventors of the claimed invention. Specifically, the 132 Declaration states that, while not a named author, Yen-Chun Chen is a joint inventor of the invention claimed and made an inventive contribution to the claimed subject matter. The 132 Declaration also states that co-authors M.O. Ahmed and Hao-En Tseng did not make an inventive contribution to the claimed subject matter of the claimed invention and are therefore not included as co-applicants in the present invention.

The Official Action urges that each and every limitation of the claimed invention is met by the Chen reference and that the 132 Declaration has been considered but it is insufficient because the invention was known by others such as Yen-Chun Chen. Applicants specifically traverse the statement. The 132 Declaration is sufficient because it clearly states that Yen-Chun Chen, while not named as a co-author in the prior art reference of record, is a co-inventor of the claimed invention. Therefore, the invention was not known by others as asserted in the Official Action, but only by the inventors of the presently claimed invention. Therefore, Chen et al. clearly does not qualify as a prior art reference that can support a §102 rejection. Accordingly, Applicants respectfully request that this rejection be withdrawn.


The Official Action also states that the signature of Yongmin Liang is absent in the 132 Declaration. Applicants specifically traverse this statement. Applicants simultaneously filed two copies of the 132 Declaration. The first copy of the 132 Declaration contains the signatures of inventors Show-An Chen, Xiwen Chen and Jin-Long Liao. The second copy of the 132 Declaration contains the signature of inventor Yongmin Liang. Applicants believe that a review of the file will reveal that all necessary signatures are present. Accordingly, Applicants respectfully assert that the 132 Declaration has been properly signed by all of the necessary parties and that the Chen et al. reference does not qualify as prior art under 35 U.S.C. 102(a) in view of the 132 Declaration. Applicants respectfully request that the rejection of claims 21-25 as being anticipated by Chen et al. be withdrawn.

Appl. No. 10/735,693
Response dated: August 30, 2005
Reply to OA of: May 31, 2005

In view of the above comments, favorable reconsideration and allowance of all of the claims now present in the application are most respectfully requested.

Respectfully submitted,

BACON & THOMAS, PLLC

By: 
Richard E. Fichter
Registration No. 26,382

625 Slaters Lane, 4th Fl.
Alexandria, Virginia 22314
Phone: (703) 683-0500
Facsimile: (703) 683-1080

REF:SAB:kdd
Request for Reconsideration.wpd

August 30, 2005